

REMARKS

The Applicant appreciates the thorough examination of the subject application. The Applicant has amended certain claims as set forth above to overcome the Examiner's rejections and more concisely claim and describe the present invention. Claims 21-30 are submitted for further examination. Claims 1-20 were previously withdrawn. The Examiner's allowance of all pending claims is earnestly solicited.

Claims 21 and 23-30 stand rejected under Section 102(b) as anticipated by Jerbic (5,500,076). Claim 22 stands rejected under Section 103(a) as unpatentable over Jerbic in view of the Applicant's admitted prior art.

To more concisely claim the present invention, the Applicant has amended the fourth paragraph of claim 21 to read, "a comparing element for comparing the normalized etchant gas concentration signal with a signal representing a desired constant etchant gas concentration to maintain a consistent etch trim rate within the chamber and a determinable etch trim duration, after which the etch trim process is terminated, the comparing element for producing a normalized signal provided to the first mass flow controller for providing a substantially constant etchant gas concentration."

Support for these amendments can be found in the specification as originally submitted, including the reference to terminating the etch process in paragraph [0008] and the reference to the etch trim rate in paragraph [0022].

It is suggested that this Amendment renders the claim patentably distinct from Jerbic, which discloses increasing or decreasing the flow of a reactive component into the processing chamber to return a ratio of a reactive and a non-reactive component back to a predetermined point. See the Jerbic beginning at line 36 of column 2. But Jerbic does not disclose or suggest maintaining a consistent etch trim rate and a determinable etch trim duration, after which the etch trim process is terminated. In fact, there is no mention of an etch trim process in Jerbic.

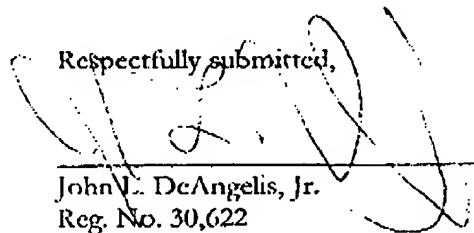
Dependent claims 22-30 each further distinguish the invention as each claims a novel and non-obvious combination of additional features. It is therefore respectfully submitted that dependent claims 22-30 are also allowable over the cited art.

The Applicant have responded to all of the rejections of claims in the Office Action and it is believed that the claims 21-30 remaining in the application are now in condition for allowance. In view of the foregoing amendments and discussion, it is respectfully submitted that

all of the Examiner's claim rejections have been overcome. It is respectfully requested that the Examiner reconsider these rejections and issue a Notice of Allowance for all the pending claims.

If a telephone conference will assist in clarifying or expediting this Amendment or the claim changes made herein, the Examiner Toledo is invited to contact the undersigned at the telephone number below.

Respectfully submitted,



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